

Appl. No. : 09/920,772
Filed : July 31, 2001

REMARKS

The foregoing amendments and the following remarks are responsive to the May 17, 2006 Final Office Action. Claims 1 and 13 are amended, Claims 2, 3, 5-12, and 14-18 remain as originally filed, and Claim 4 remains as previously presented. Thus, Claims 1-18 are presented for further consideration.

Comments on Telephonic Interview of June 22, 2006

Applicant thanks Examiner Nguyen for extending the courtesy of conducting a telephonic interview with Applicant's representative, Bruce S. Itchkawitz, on June 22, 2006. The amendments and response discussed herein are in accordance with this discussion.

Comments on Allowed Subject Matter

Applicant thanks the Examiner for acknowledging the allowability of Claim 4. Applicant respectfully requests that the Examiner consider the allowability of the remaining pending claims in view of the amendments and remarks described herein.

Response to Rejection of Claims 1-3, 5-14, and 16-18 Under 35 U.S.C. § 102(e)

In the May 17, 2006 Final Office Action, the Examiner rejects Claims 1-3, 5-14, and 16-18 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,177,931 issued to Alexander et al. ("Alexander"). The Examiner also rejects Claims 13 and 14 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0152459 to Bates et al. ("Bates").

Claims 1-3 and 5-12

Applicant has amended Claim 1 to recite (emphasis added):

1. An audiovisual system for making audiovisual programs available to a user from a broadcast source and from local storage and for presenting on a display device a first available audiovisual program selected from the available audiovisual programs, the audiovisual system comprising:

a disk drive adapted to receive and store audiovisual programs and to retrieve and transmit stored audiovisual programs;

a preference determination module responsive to user input and electronic program guide information to estimate a degree of interest by the user **for each available audiovisual program, wherein the available audiovisual programs include broadcasted audiovisual programs available to be received from the broadcast source and stored**

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audiovisual programs available to be played back from the local storage;

an alert module coupled to the preference determination module, the alert module performing a comparison of the degree of interest for each available audiovisual program to at least one threshold interest criterion and generating an interrupt signal in response to the comparison; and

a system controller coupled to the alert module, the system controller responsive to user input and electronic program guide information to present the first available audiovisual program to the user, and responsive to the interrupt signal from the alert module to interrupt presenting the first available audiovisual program to provide information to the user regarding at least a second available audiovisual program.

Applicant submits that neither Alexander nor Bates discloses all of the limitations of the audiovisual system recited by amended Claim 1. For example, neither of these references discloses "a preference determination module ... to estimate a degree of interest by the user for each available audiovisual program, wherein the available audiovisual programs include broadcasted audiovisual programs available to be received from the broadcast source and stored audiovisual programs available to be played back from the local storage."

Each of Claims 2, 3, 5-7, 9, and 10 depends from amended Claim 1, Claim 8 depends from Claim 7, and each of Claims 11 and 12 depends from Claim 10. Therefore, each of Claims 2, 3, and 5-12 includes all the limitations of amended Claim 1, as well as other limitations of particular utility. Applicant respectfully requests that the Examiner withdraw the rejection of Claims 1-3 and 5-12 and pass these claims to allowance.

Claims 13, 14, and 16-18

Applicant has amended Claim 13 to recite (emphasis added):

13. A method of allowing a user to select among available audiovisual programs while viewing a first audiovisual program on a display device coupled to an audiovisual system, the method comprising:

presenting the first audiovisual program to the user;

generating at least one threshold interest criterion;

estimating a degree of interest by the user for the first audiovisual program and each available audiovisual program, wherein the available audiovisual programs include broadcasted audiovisual programs available to be received from the broadcast

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source and stored audiovisual programs available to be played back from the local storage;

comparing the degree of interest for each available audiovisual program with the threshold interest criterion; and

presenting information to the user regarding at least a second available audiovisual program which has a degree of interest which satisfies the threshold interest criterion.

Applicant submits that neither Alexander nor Bates discloses all of the limitations of the audiovisual system recited by amended Claim 13. For example, neither of these references discloses "estimating a degree of interest by the user for the first audiovisual program and each available audiovisual program, wherein the available audiovisual programs include broadcasted audiovisual programs available to be received from the broadcast source and stored audiovisual programs available to be played back from the local storage."

Each of Claims 14 and 16-18 depends from amended Claim 13, so each of these claims includes all the limitations of amended Claim 13, as well as other limitations of particular utility. Applicant respectfully requests that the Examiner withdraw the rejection of Claims 13, 14, and 16-18 and pass these claims to allowance.

Response to Rejection of Claim 15 Under 35 U.S.C. § 103(a)

In the May 17, 2006 Final Office Action, the Examiner rejects Claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Alexander in view of Japanese Patent Publication No. JP 08-032955 issued to Makoto et al. ("Makoto").

As discussed above, Applicant submits that Alexander does not disclose all the limitations of amended Claim 13. Applicant further submits that Makoto does not disclose or suggest the limitations of amended Claim 13 that are not found in Alexander. Therefore, Applicant submits that amended Claim 13 is patentably distinguished over Alexander in view of Makoto. Claim 15 depends from Claim 14 which depends from amended Claim 13. Therefore, Claim 15 includes all the limitations of amended Claim 13 as well as other limitations of particular utility. Applicant respectfully requests that the Examiner withdraw the rejection of Claim 15 and pass this claim to allowance.

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Summary

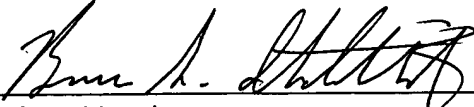
For at least the foregoing reasons, Applicant submits that Claims 1-18 are in condition for allowance, and Applicant respectfully requests such action.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

Dated: 2/12/06

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